

REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are requested.

A proposed drawing amendment to Fig. 84 is filed concurrently herewith. In the proposed drawing amendment, the output line from the “2nd Data Stream Input” 744 is completed so as to correctly extend to the “Modulator” 749. As disclosed in the paragraph spanning columns 62 and 63, and most specifically the sentence spanning columns 62 and 63, the first and second data streams, i.e., the two components, are both transferred to the modulator 749 of the modulator unit 852. The original drawings included an error in that the output line from the “2nd data stream input” 744 did not extend to the “Modulator” 749.

By this amendment, claims 31-39 have been canceled and new claims 40-48 added. Claims 1-30 were previously canceled. Thus, claims 40-48 remain pending. Support for the new claims can be found at least at: Fig. 28; Fig. 84; and the paragraph spanning columns 62 and 63. If the Examiner requires further supporting passages, she is invited to contact the undersigned by telephone.

Claims 31-39 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner asserts that the limitations “the DC offset added to the 2 level mapped signal and the DC offset added to the 8-level mapped signal are the same in amount of DC offset” are not described in the specification. It is submitted that this rejection is overcome by the claim amendments reflected by new claims 40-48, including the removal of the claim language indicated by the examiner.

Claims 40-48 are the same as claims 31-39, respectively, except for the differences discussed below.

In claims 40, 41, 45, and 46, the language “wherein the DC offset added to the 2-level mapped signal and the DC offset added to the 8-level mapped signal are the same in amount of DC offset” has been removed. Similarly, in claims 42 and 47, the language “the DC offset from which the carrier is produced in the 2-level VSB modulated signal and the DC offset from which the carrier

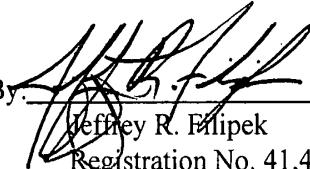
is produced in the 8-level VSB modulated signal are the same in amount of DC offset" has been removed.

In claims 40, 41, 42, 45, 46, and 47 the word "same" is inserted in line 2 of the "DC offset" paragraph so as to recite that "the same DC offset" is added to the 8-level mapped signal to produce an 8-level VSB modulated signal. This relationship can be seen in Fig. 84 where the same offset generator 856 adds offset to the output of the modulator 749 which includes both the first and second data streams. Accordingly, the specification provides an adequate written description of the inventions recited in claims 40-48.

In view of the above, it is submitted that claims 40-48 are allowable and the present application is in condition for allowance. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

Mitsuaki OSHIMA et al.

By 
Jeffrey R. Filipek
Registration No. 41,471
Attorney for Patentees

JRF/fs
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
February 13, 2004